S.B. CIVIL WRIT PETITION NO.4432/2007.
(Vijaindra Prakash Vs. Civil Judge (Jr.Div.) Ladnu & Anr.)

Date of Order :: 30th July 2007

HON'BLE MR. JUSTICE DINESH MAHESHWARI

Mr. S.K.Mathur, for the petitioner.

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This writ petition has been submitted against the order dated 14.05.2007 (Annex.7) passed by the Civil Judge (Junior Division), Ladnu in Civil Suit No.13/2000 allowing an application under Section 13(5) of the Rajasthan Premises (Control of Rent & Eviction) Act, 1950 ('the Act') and striking out defence against eviction.

The order in question was an appealable order under Section 22 of the Act. No reason is forthcoming as to why the petitioner has not preferred the appeal and has straight away filed this writ petition. There appears no justification to permit the petitioner to maintain this writ petition particularly in view of statutory remedy of appeal as provided under Section 22 of the Act.

It appears that certified copy of the impugned order was obtained on 18.05.2007 but the petitioner has chosen not to file appeal before the competent court and has thereafter filed this writ petition only on 20.07.2007. There appears no reason to entertain this petition.

The writ petition is, therefore, rejected. A copy of this order be sent to the trial court.

MK **(DINESH MAHESHWARI), J.**